

## ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

### EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA), Department of Commerce
- **Funding Opportunity Title:** Economic Development Assistance Programs--Availability of Funds under the Public Works and Economic Development Act of 1965, as Amended and the Trade Act of 1974, as Amended
- **Announcement Type:** Initial Announcement of Federal Funding Opportunity
- **Catalog of Federal Domestic Assistance (CFDA) Numbers:** 11.300 Grants for Public Works and Economic Development Facilities; 11.302 Economic Development--Support for Planning Organizations; 11.303 Economic Development--Technical Assistance; 11.307 Economic Adjustment Assistance; 11.312 Economic Development--Research and Evaluation; 11.313 Economic Development--Trade Adjustment Assistance.
- **Dates:** Proposals are accepted on a continuing basis and applications are invited and processed as received. Normally, two months are required for a final decision after the receipt of a completed application invited by EDA that meets all requirements.
- **Application Submission:** Proposals and applications must be submitted to the appropriate regional or Washington office as set forth below.
- **Funding Opportunity Description:** The Economic Development Administration (EDA) announces general policies and application procedures for grant-based investments that will increase prosperity by advancing comprehensive, entrepreneurial, and innovation-based economic development efforts to enhance the competitiveness of regional business environments, resulting in increased private investment and higher-skill, higher-wage jobs.

## **FULL ANNOUNCEMENT TEXT**

### **I. Funding Opportunity Description**

#### **A. Program Objectives and Description**

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA fulfills its mission by investing in: public works infrastructure and development facilities; the crafting and implementation of comprehensive economic development strategies; local, national and University Center-based technical assistance and research projects; and revolving loan funds. Under separate statutory authority, EDA also provides technical assistance to firms adversely affected by directly competitive imported products.

#### **B. Program Priorities**

EDA encourages only those investment proposals that will significantly benefit areas experiencing or threatened with substantial economic distress. Distress may exist in a variety of forms, including, but not limited to: high levels of unemployment, low income levels, large concentrations of low-income families, significant declines in per capita income, substantial loss of population because of the lack of employment opportunities, large numbers (or high rates) of business failures, sudden major layoffs or plant closures, trade impacts, military base closures, natural or other major disasters, depletion of natural resources, or reduced tax bases.

EDA evaluates and funds investment proposals according to the Investment Policy Guidelines and Funding Priorities set forth in Section V.

#### **C. Program Authority**

The authority for programs listed below is the Public Works and Economic Development Act of 1965, as amended (Pub. L. 89-136, 42 U.S.C. 3121, et seq.), and as further amended by Pub. L. 105-393. The authority for the program listed in part II.6 is title II, chapters 3 and 5 of the Trade Act of 1974, as amended by Pub. L. 93-618, 98-120, 98-369, 99-272, 99-514, 100-418, 103-66, 105-277, and 107-210 (19 U.S.C. 2341-2391) (Trade Act).

### **II. Award Information**

#### **A. Funding Availability**

Funding appropriated under Pub. L. 108-199 is available for economic development assistance programs authorized by the Public Works and Economic Development Act of 1965, as amended (Pub. L. 89-136, 42 U.S.C. 3121, et seq. and as further amended by Pub. L. 105-393), and for trade adjustment assistance authorized under title II, chapters 3 and 5 of the Trade Act of 1974, as amended (19 U.S.C. 2341-2355; 2391), and as further amended by Pub. L. 107-210.

Funds in the amount of \$285,083,000 have been appropriated for FY 2004 and shall remain available until expended.

1. Public Works and Economic Development Facilities Assistance Program

Funds in the amount of \$200,151,000 have been appropriated for this program. The average funding level for an investment in FY 2003 was \$1,313,000. This amount is not intended to restrict the size of future awards.

EDA will provide Public Works investments to support the construction or rehabilitation of essential public infrastructure and development facilities necessary to generate private sector jobs and investment, including investments that support technology-led development, redevelopment of brownfield sites, and eco-industrial development, and heritage preservation development investments such as those supported by the Preserve America Initiative.

2. Planning Program: Planning Assistance for Economic Development Districts, Indian Tribes, States, and Other Planning Organizations

Funds in the amount of \$23,747,000 have been appropriated for the Planning Program. In FY 2003, the average Economic Development District planning investment was \$59,000; the average Indian planning investment was \$49,000; and the average state and other planning organization investment was \$73,000. These amounts are not intended to restrict the size of future awards. EDA expects that the majority of planning funds will be used for support to existing Economic Development District and Indian tribe grantees. Such continuation grants are not competed. Any new planning grants shall be solicited and evaluated in compliance with this notice.

3. Technical Assistance Program: Local Technical Assistance; National Technical Assistance; and University Centers

Funds in the amount of \$8,346,000 have been appropriated for the Technical Assistance programs of which approximately \$362,000 is available for the Local Technical Assistance program; \$805,000 for the National Technical Assistance program; and \$7,179,000 for the University Center program. The average funding level in FY 2003 for Local Technical Assistance investments was \$47,000; for National Technical Assistance investments, \$247,000; and for University Center investments, \$96,000. These amounts are not intended to restrict the size of future awards.

Multi-year funding may be available for this program. Funding for each year's activities is contingent upon continued satisfactory performance during the preceding period, the availability of program funds, and will be at EDA's sole discretion.

A separate Federal Funding Opportunity (FFO) notice will set forth the specific funding priorities, application process, and time frames for certain National Technical Assistance projects.

### *Special Information on EDA's University Center Program*

A separate FFO notice published on April 15, 2004 (69 FR 19973) sets forth the specific funding priorities, application process, and time frames for University Center projects to be funded under the FY 2004 appropriation.

#### 4. Economic Adjustment Assistance Program

The U.S. Secretary of Commerce has directed EDA to focus the Economic Assistance Adjustment Program on communities experiencing job losses in the manufacturing sector. As an effort to help American workers, businesses, and communities affected by the loss of manufacturing jobs, EDA's Economic Adjustment Assistance Program will focus on:

- a. Helping communities that experience manufacturing job losses (e.g., major layoffs, plant closures, trade impacts, defense restructuring, or disasters); and
- b. Supporting innovation and competitiveness in American manufacturing.

EDA's Economic Adjustment Assistance Program provides a wide range of technical, planning and infrastructure assistance in communities experiencing sudden and severe job losses. This program is designed to respond flexibly to pressing economic issues and is well suited to help address challenges faced by U.S. manufacturers. EDA's Economic Adjustment Program is available to institutions of higher learning, non-profit organizations and state and local governments.

In addition, EDA welcomes and encourages proposals from Manufacturing Extension Partnership (MEP) centers in FY 2004. Consistent with EDA's eligibility, review and program-specific criteria, and in accordance with a Memorandum of Agreement (MOA) to be signed between EDA and the Department of Commerce Technology Administration (TA), EDA will invite formal applications from and endeavor to provide grants based on a stand-alone scope of work to MEP centers for the provision of technical assistance to promote American competitiveness in manufacturing by advancing innovation and applied technologies. Pursuant to the MOA, all MEP centers shall remain funded by TA under the MEP program, and EDA funding will be in addition to any TA funding under the MEP program.

Funds in the amount of \$40,470,000 have been appropriated for funding under the Economic Adjustment Assistance program. In addition to the priorities listed above, EDA continues its commitment to funding economic adjustment projects located in regions impacted by coal industry downsizing, timber industry issues and Alaska fishing-dependent communities. The average funding level for an Economic Adjustment investment in FY 2003 was \$553,000. This amount is not intended to restrict the size of future awards.

#### 5. Research and Evaluation Program

Funds in the amount of \$495,000 have been appropriated for this program. The average funding level for an investment in FY 2003 was \$114,000. This amount is not intended to restrict the size of future awards.

A separate FFO notice(s) will set forth the application process, specific funding priorities, and time frames for certain research and evaluation investments.

#### 6. Trade Adjustment Assistance Program

Funds in the amount of \$11,874,000 have been appropriated for this program. EDA expects these funds will be used to support the existing network of Trade Adjustment Assistance Centers (TAACs) and to provide technical assistance to firms certified as eligible under the Trade Adjustment Assistance Program for Firms. The average funding level for a TAAC in FY 2003 was \$869,000 and the average funding level for a successful firm-based adjustment proposal was \$97,000. This amount is not intended to restrict the size of future awards. Continuation grants will not be competed. EDA intends to hold a competition in FY 2004 to provide Trade Adjustment Assistance in New Jersey. EDA will publish a separate FFO notice announcing this competition.

#### B. Type of Funding Instrument

EDA provides funding for eligible investment activities through direct grants and cooperative agreements. In funding cooperative agreements, a common example of substantial involvement is collaboration between EDA program staff and the recipient of a conference planning award to select a conference site, develop the agenda, and choose presenters, or to review a research project's methodology at critical stages and the draft written report.

### **III. Eligibility Information**

#### A. Eligible Applicants

Eligible applicants for and eligible recipients of EDA financial assistance are defined at 13 CFR 300.2. An "area" is an eligible recipient and is defined at 13 CFR 301.2. Areas eligible for financial assistance include those areas meeting "special needs" criteria, as set forth in Section VIII.B.

EDA is not authorized to provide grants directly to individuals or to other for-profit entities seeking to start or expand a business. Such requests may be referred to state or local agencies, or to non-profit economic development organizations serving the project area.

Communities affected by the 1988, 1991, 1993 or 1995 Base Realignment and Closure (BRAC) actions, and which qualify for either regular Public Works or regular Economic Adjustment funding, may apply for investments under one or both of those programs. EDA anticipates that construction proposals will seek funding from the regular Public Works program while credit enhancement or other innovative financing proposals will compete under the regular Economic Adjustment authority.

## B. Cost Sharing or Matching Requirement

Ordinarily the amount of the EDA grant may not exceed 50 percent of the cost of the project. Cash or in-kind contributions, fairly evaluated by EDA, including contributions of space, equipment, and services, may provide the non-Federal share of the project cost. In-kind contributions must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements.

EDA may supplement the Federal share of a grant project where the applicant is able to demonstrate that the non-Federal share that would otherwise be required cannot be provided because of the overall economic situation. Potential applicants should contact the appropriate EDA office to make this determination.

## C. Other Submission Requirements

Potential applicants are responsible for demonstrating to EDA, by providing statistics and other appropriate information, the nature and level of the distress their project efforts are intended to alleviate.

# IV. Application and Submission Information

## A. Address to Request Application Package

EDA is currently unable to accept electronic application submissions. Paper applications may be downloaded from the EDA Web site at <http://www.eda.gov>, or may be obtained from the appropriate EDA Regional Office or Economic Development Representative. For agency addresses and phone numbers see Section VIII below.

## B. Content and Form of Application Process

To apply for an award under this notice, an eligible recipient must submit a pre-application proposal to the appropriate Economic Development Representative for the area or regional office. Once a preapplication proposal has been accepted, it may be carried over for consideration of award in subsequent fiscal years.

### 1. Proposal Format

Preapplication proposals must be submitted on EDA's Preapplication for Federal Assistance, Form ED-900P. This form contains both questions and a narrative statement. The narrative statement need not exceed four pages. The narrative statement must address the following topics in the order listed:

- a. Project Area.
- b. Project Description.
- c. Proponent's Capability.

- d. Problem.
- e. Project Impact.
- f. Project Beneficiaries.
- g. Civil Rights Issues.
- h. Funding.
- i. Identity of Sources of Non-EDA Funding.
- j. Title/Ownership/Operation and Maintenance (Construction Projects).
- k. Environmental Issues.

Proposals for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance must also include Form ED-900P, Exhibit A, Area Eligibility for Grants under 13 CFR parts 305 (Public Works) and 308 (Economic Adjustment) and the necessary documentation and narrative statement.

Proposals for projects on which EDA is requested to fund more than 50 percent of project costs may be required to include Form ED-900P, Exhibit B, EDA Grant Rate Determination, and the necessary documentation and narrative statement.

An original and two copies must be submitted to the appropriate Economic Development Representative or regional office.

Unless otherwise provided herein, eligibility, program objectives, application procedures, selection process, evaluation criteria, and other requirements for all programs are set forth in EDA regulations at 13 CFR chapter III, and applicants must address those requirements. The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of October 1, 2001 (66 FR 49917), as amended by the Federal Register notice published on October 30, 2002 (67 FR 66109), are incorporated by reference into this notice and are available on EDA's Web site ([www.eda.gov](http://www.eda.gov)).

For Public Works (13 CFR part 305) and Economic Adjustment Investments (13 CFR part 308) (CFDA No. 11.300 and 11.307 respectively), EDA reviews area eligibility at the time an application is invited and again at the time an application is received. This review is based on the most recent Federal data available for the area where the project will be located or where the substantial direct benefits will be received. If no Federal data is available to determine eligibility, an applicant must submit to EDA the most recent data available for the area through the government of the State in which the area is located, i.e., conducted by or at the direction of the State government. Other data may be submitted, as appropriate, to substantiate eligibility based on "special need" (see Section VIII.B. below). Project areas must be eligible on the date of receipt of the application. In the case of any application received by EDA more than six months prior to the time of award, EDA will reevaluate the project to determine that the area remains eligible for EDA assistance before making the award. EDA will reject any documentation of eligibility that it determines is inaccurate and the application may be rejected.

## 2. Submission Dates and Times

Unless otherwise noted in this notice, proposals are accepted on an ongoing basis.

## C. Funding Restrictions

### 1. Indirect Cost Rates

Regardless of any approved indirect cost rate applicable to the award, the maximum dollar amount of allocable indirect costs for which the Department of Commerce will reimburse the recipient shall be the lesser of the line item amount for the Federal share of indirect costs contained in the approved budget of the award, or the Federal share of the total allocable indirect costs of the award based on the indirect cost rate approved by an oversight or cognizant Federal agency and current at the time the cost was incurred, provided the rate is approved on or before the award end date.

### 2. Allowable Costs

Funds awarded cannot necessarily pay for all the costs that the recipient might incur in the course of carrying out the project. Allowable costs are determined by reference to the Office of Management and Budget Circulars A-122, "Cost Principles for Nonprofit Organizations"; A-21, "Cost Principles for Education Institutions"; and A-87, "Cost Principles for State, Local and Indian Tribal Governments." Generally, costs that are allowable include salaries, equipment, supplies, and training, as long as these are "necessary and reasonable."

## V. Application Review Information

### A. Initial Review Criteria and Process

Each pre-application proposal is circulated by a project officer to the appropriate regional office staff for review, comments, and recommendations. When the necessary input and information are obtained, the pre-application proposal is considered by the regional office Investment Review Committee (IRC) made up of regional office staff. The IRC discusses the proposal and all pertinent documentation and evaluates it on two levels of analysis: (a) fulfillment of the Investment Policy Guidelines set forth below; and (b) the general evaluation criteria set forth at 13 CFR 304.1 and 304.2 as further defined by the Funding Priorities and Supplemental Evaluation Criteria set forth in this notice below, and the program specific criteria provided under 13 CFR 305.2 for Public Works, 13 CFR 306.2 for Planning Assistance, 13 CFR 307.2 for Technical Assistance, 13 CFR 307.6 for University Centers, 13 CFR 307.10 for National Technical Assistance, Training, Research, and Evaluation, 13 CFR 308.2 and 308.4 for Economic Adjustment and 13 CFR 315.5 and 315.6 for Trade Adjustment for Firms. University Center funding proposals have been addressed in a separate FFO published on April 15, 2004 (69 FR 19973).

After completing its evaluation, the IRC recommends whether or not an application should be invited, documenting its recommendation in the meeting minutes or in the Investment Proposal Summary and Evaluation Form. The IRC analysis of the project's fulfillment of the Investment Policy Guidelines is reviewed at headquarters for quality assurance. After receiving



quality control clearance, the Selecting Official (depending on the program, either the Regional Director or the Assistant Secretary) selects the applications to be invited in accordance with section V.D below. In the case of a continuation grant, no pre-application proposal is required. Proposals received after the date of this notice will be processed in accordance with the requirements set forth herein until the next annual FFO is published.

## B. Investment Policy Guidelines

EDA's mission is to increase prosperity by advancing comprehensive, entrepreneurial, and innovation-based economic development efforts to enhance the competitiveness of regional business environments resulting in increased private investment and higher-skill, higher-wage jobs.

EDA will invest in applicants who are entrepreneurial in spirit and in action. Potential investments will be analyzed using the following five Investment Policy Guidelines which constitute supplemental evaluation criteria of equal weight, and which further define the criteria provided at 13 CFR 304.2:

1. ***Be market-based and results driven.*** An investment will capitalize on a region's competitive strengths and will positively move a regional economic indicator measured on EDA's Balanced Scorecard, such as: an increased number of higher-skill, higher-wage jobs; increased tax revenue; or increased private sector investment.
2. ***Have strong organizational leadership.*** An investment will have strong leadership, relevant project management experience, and a significant commitment of human resources talent to ensure a project's successful execution.
3. ***Advance productivity, innovation, and entrepreneurship.*** An investment will embrace the principles of entrepreneurship, enhance regional clusters, and leverage and link technology innovators and local universities to the private sector to create the conditions for greater productivity, innovation, and job creation.
4. ***Look beyond the immediate economic horizon, anticipate economic changes, and diversify the local and regional economy.*** An investment will be part of an overarching, long term comprehensive economic development strategy that enhances a region's success in achieving a rising standard of living by supporting existing industry clusters, developing emerging new clusters, or attracting new regional economic drivers.
5. ***Demonstrate a high degree of commitment by exhibiting:***
  - a. High levels of local government or non-profit matching funds and private sector leverage.
  - b. Clear and unified leadership and support by local elected officials.
  - c. Strong cooperation between the business sector, relevant regional partners and local, state and federal governments.

## C. Funding Priorities and Supplemental Evaluation Criteria.

Highly rated preapplication proposals may or may not be invited to submit full applications based on the following Funding Priorities. Generally, all proposals should enhance

regional competitiveness and support long-term development of the regional economy. Further priority will be given to proposals that:

1. Encourage innovation and regional competitiveness:
  - a. Reflect coordination of strong regional leadership committed to regional cluster development;
  - b. Encourage a formal organization structure and process for working on cluster development and maintaining consensus;
  - c. Encourage a common vision and collaboration among firms, universities, and training centers to implement a cluster strategy;
  - d. Establish research and industrial parks that encourage innovation-based competition;
  - e. Implement cluster-focused and innovation-focused business development efforts; and
  - f. Develop or implement coordinated economic and workforce development strategies.
2. Upgrade core business infrastructure such as:
  - a. Transportation infrastructure;
  - b. Communications infrastructure; and
  - c. Specialized training program infrastructure.
3. Help communities plan and implement economic adjustment strategies in response to sudden and severe economic dislocation.

Specifically, EDA will give highest priority to support manufacturing-impacted communities by:

- a. Helping communities that experience manufacturing job losses (e.g., major layoffs, plant closures or trade impacts); and
  - b. Supporting innovation and competitiveness in American manufacturing.
4. Support technology-led economic development, for example, proposals that:
  - a. Reflect the important role of research and development capacity of universities in regional development; and
  - b. Create and support technology transfers.
5. Advance community and faith-based social entrepreneurship in redevelopment strategies for areas of chronic economic distress.

#### D. Invitation of Applications

The Selecting Official considers the evaluations provided by the Investment Review Committee (IRC) and the degree to which one or more of the Funding Priorities are included (or packaged together) in making his/her decisions as to which preapplication proposals should be invited. The Selecting Official then formally invites the successful proponent to submit a formal application. If the Selecting Official declines to invite a full application, he/she provides written notice to the proponent.

If the invited proponent submits a formal application, it is reviewed by EDA program officials to determine whether it contains any deficiencies under EDA regulations at 13 CFR chapter III and the requirements of this notice. If deficiencies are noted, the applicant is provided a written request to amend the application to resolve any deficiencies. If deficiencies are not resolved 30 days after receipt of the written notice, the application may be rejected. If the full application is accepted, the applicant and EDR are notified and it is forwarded for final reviews and processing in accordance with EDA and DOC procedures.

## **VI. Award Administration Information**

### **A. Award Notices**

As detailed in Section V, EDA will invite successful proponents to submit a complete application. This invitation is not, however, a guarantee that funding will be provided. Unsuccessful proponents will be notified that their proposals were not recommended for funding. Unsuccessful proposals will be retained in the EDA regional office for one year, after which they will be destroyed.

### **B. Administrative and National Policy Requirements**

Administrative and national policy requirements for all Department of Commerce awards are contained in the Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements, published in the Federal Register on October 1, 2002 (66 FR 49917), as amended by the Federal Register notice published on October 30, 2002 (67 FR 66109).

### **C. Reporting**

All recipients are required to submit financial and performance (technical) reports. All financial reports must be submitted in triplicate (one original and two copies) to the EDA Program Officer. Reports are due on a semi-annual schedule and must be submitted no later than 30 days following the end of the six-month period(s) established in the award. Final reports are due 90 days after the award completion.

## **VII. Agency Contacts**

EDA's web site, <http://www.eda.gov>, contains additional information on EDA and its programs. You may also contact the appropriate EDA office. Addresses for EDA's six regional offices and Washington, DC, office are provided in Section VIII.C. Addresses for Economic

Development Representatives (EDRs) are listed under each regional office. For community and regional economic development investments, contact EDA's regional office or the EDR for your area as shown in Section VIII.C. For research and evaluation, please contact W. Kent Lim at (202) 482-6225. For national technical assistance, please contact John J. McNamee at (202) 482-4085. For Trade Adjustment Assistance for Firms, please contact Anthony J. Meyer at (202) 482-2127.

## **VIII. Other Information and Requirements**

### **A. Other Requirements**

EDA regulations at 13 CFR Chapter III are available on the EDA Web site <http://www.eda.gov>. Certain Departmental and other requirements are noted below:

1. Projects are expected to be completed in a timely manner consistent with the nature of the project. For Public Works and most Economic Adjustment implementation investments, the maximum period for which assistance will be made available is generally not more than five years from the date of award.
2. Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid Office of Management and Budget (OMB) control number. This notice involves a collection of information requirement subject to the provisions of the PRA and has been approved by OMB under Control Number 0610-0094. The EDA preapplication (ED-900P) and application (ED-900A), which incorporates the SF-424, are the forms in the EDA application kit, approved under the aforementioned OMB control number.
3. The implementing regulations of the National Environmental Policy Act (NEPA) require EDA to provide public notice of the availability of project specific environmental documents such as environmental impact statements, environmental assessments, findings of no significant impact, records of decision etc., to the affected public as specified in 40 CFR 1506.6(b). Depending on the project location, environmental information concerning specific projects can be obtained from the Regional Environmental Officer (REO) in the appropriate EDA regional office listed in Section VIII.C.
4. If an application is selected for funding, EDA has no obligation to provide any additional future funding in connection with an award. Renewal of an award to increase funding or extend the period of performance is at the sole discretion of EDA.
5. EDA will notify unsuccessful applicants in writing and unsuccessful applications will be maintained in the regional office files for not more than three years from the date of receipt.
6. EDA is committed to a policy of non-discrimination in the administration of all its programs.
7. EDA applications proposed for funding are subject to the requirements of Executive Order 12372, "Intergovernmental Review of Federal Programs," as referenced in EDA's regulations at 13 CFR chapter III.

8. This notice has been determined to be “not significant” for purposes of Executive Order 12866.
9. It has been determined that this notice does not contain policies with federalism implications as that term is defined in Executive Order 13132.
10. Because notice and comment are not required under 5 U.S.C. 553, or any other law, for this notice relating to public property, loans, grants benefits or contracts (5 U.S.C. 553(a)), a Regulatory Flexibility Analysis is not required and has not been prepared for this notice, 5 U.S.C. 601 et seq.

## B. Special Need Criteria

These criteria are published in accordance with 13 CFR 301.2(h) and define what constitutes a special need sufficient to make an area eligible for Public Works and Economic Development Facilities assistance and Economic Adjustment assistance as described in part III above. An area is eligible pursuant to “Special Need” (13 CFR 301.2(b)(3)), if the area meets one of the criteria described below:

1. Closure or restructuring of industrial firms essential to area economies. An area has experienced either: (1) An actual closure or restructuring of a firm(s), within the past twelve months, resulting in sudden job losses and meeting the following dislocation criteria; or (2) a threat that results from a public announcement of an impending closure or restructuring of a firm(s), expected to occur within two years of preapplication, and result in sudden job losses meeting the following dislocation criteria:
  - a. For areas over 100,000 population, the actual or threatened dislocation is 500 jobs, or 1 percent of the civilian labor force (CLF), whichever is less.
  - b. For areas up to 100,000 population, the actual or threatened dislocation is 200 jobs, or 1 percent of the CLF, whichever is less.
2. Substantial out-migration or population loss. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic or demographic data to demonstrate the special need.
3. Underemployment, that is, employment of workers at less than full time or at less skilled tasks than their training or abilities permit. Applicants seeking eligibility under this criterion will be asked to present appropriate and compelling economic and demographic data to demonstrate the special need.
4. Military base closures or realignments, defense contractor reductions-in-force, or Department of Energy defense-related funding reductions.
  - a. A military base closure refers to a military base that was closed or is scheduled for closure or realignment pursuant to a Base Realignment and Closure Act (BRAC) process or other Department of Defense (DOD) process. Unless further extended by the Assistant Secretary for Economic Development, the area is eligible from the date of Defense Department recommendation for closure until five years after the actual date of closing of the installation.
  - b. A defense contractor reduction-in-force refers to a defense contractor(s) experiencing defense contract cancellations or reductions resulting from official DOD announcements and having aggregate value of at least \$10 million per year.

Actual dislocations must have occurred within one year of application to EDA and threatened dislocations must be anticipated to occur within two years of application to EDA. Defense contracts that expire in the normal course of business will not be considered in meeting this criterion.

- c. A Department of Energy defense-related funding reduction refers to a Department of Energy facility that has experienced or will experience a reduction of employment resulting from its defense mission change. The area is eligible from the date of the Department of Energy announcement of reductions until five years after the actual date of reduced operations at the installation.
- 5. Natural or other major disasters or emergencies, including terrorist attacks. Unless further extended by the Assistant Secretary, an area that has received one of the following disaster declarations is eligible to apply for EDA assistance for a period of 18 months after the date of declaration.
    - a. A Presidential Disaster Declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. 93-288), 42 U.S.C. 5121 et seq), or
    - b. A Federally-Declared Disaster pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, (Pub. L. 94-265) as amended by the Sustainable Fisheries Act (Pub. L. 104-297), or
    - c. A Federal Declaration pursuant to the Consolidated Farm and Rural Development Act, as amended (Pub. L. 92-419, 96-438, 97-35, 98-258, 99-198, 100-233, 100-387, and 101-624), or
    - d. A Federally-Declared Disaster pursuant to the Small Business Act, as amended (Pub. L. 85-536).
  - 6. Extraordinary depletion of natural resources. EDA presently recognizes the following conditions of extraordinary natural resource depletion:
    - a. Fisheries.
    - b. Coal.
    - c. Timber.Modifications to the above listing of conditions of extraordinary natural resource depletion, as they may occur, will be announced in subsequent public notices.
  - 7. Communities undergoing transition of their economic base as a result of changing trade patterns. An area certified as eligible by the North American Development Bank (NADBank) Program or the Community Adjustment and Investment Program (CAIP).
  - 8. Other special need. The area is experiencing other special and/or extraordinary economic adjustment needs as determined by the Assistant Secretary.

The applicant will be asked to present appropriate economic or demographic statistics to demonstrate a special need.

### C. EDA Regional Offices and Economic Development Representatives

EDA regional offices and the Economic Development Representatives and the areas served are listed below:

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William J. Day, Jr., Regional Director, Atlanta Regional Office, 401 West Peachtree Street, NW., Suite 1820, Atlanta, Georgia 30308-3510, Telephone: (404) 730-3002, Fax: (404) 730-3025, Internet Address: [wday1@eda.doc.gov](mailto:wday1@eda.doc.gov)

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